

**REMARKS**

The examiner is thanked for the courtesies extended to the undersigned during the personal interview conducted on March 25, 2004.

Entry of this amendment and favorable reconsideration of this application are respectfully requested.

Claims 1, 2, 5, 7, 9, and 11-40 are pending in this application.

Independent claims 1, 23 and 27 are amended herein to recite that the presently claimed composition contain “no free added water” instead of being “substantially anhydrous”. It is respectfully submitted that this amendment does not alter the scope of the claims since, as noted at page 3, lines 3-7 of the specification, the term “substantially anhydrous” *means* that “no free water is added to the composition”.

Claims 30, 31 and 32 have been amended to depend from claim 27. These claims as first presented depended from claim 1 as a result of a typographical error.

Claims 1, 2, 5, 7-9, 11-16, 21, 23, 24, 27-34 and 39 have been rejected under 35 USC 102(e) as being anticipated by Cen et al U.S. Patent no. 6,428,799 (hereinafter referred to simply as “Cen”). In addition, claims 17-20, 22, 25, 26, 35-38 and 40 have been rejected under 35 USC 103(a) as unpatentable over Cen. These rejections are respectfully traversed.

Cen fails to teach or suggest compositions that contain no free added water as recited in the present claims. Rather, the Cen compositions referred to in the rejection each include free added water.

Specifically, the rejection specifically mentions Examples 65, 66 and 67 of Cen. The formulations for these examples appear at column 61 of Cen. Water is the third

ingredient in Part A of the applied Cen formulations. In example 65, 4.43% of free water is added and in each of Examples 66 and 67, 3.00% of free water is added.

In fact, many of the Cen examples affirmatively list water as a separate ingredient. In these examples, free added water is present. Other Cen examples do not list water as an ingredient and therefore do not contain free added water. See, for example, Cen examples 59 – 64 at column 60.

Nor is it seen where in Cen it is suggested that water can be excluded from the compositions disclosed therein. Rather, in Examples 65-67, Cen uses a polyacrylamide as a polymer gelling agent. However, Cen's polymeric gelling agents form hydrogels in a conventional manner which involves the use of water or other aqueous medium and/or neutralizing the polymers. For example, at column 31, line 64 through column 36, line 3 Cen discusses the "Hydrogel Forming Polymeric Gelling Agents" useful in his products. In comparison, at page 6, lines 6-9 of Applicants' specification it is noted that the ability to use a polyacrylamide without being dispersed in an aqueous media or neutralized is a surprising result of the present compositions. This surprising aspect of the present compositions is nowhere taught or suggested by Cen.

Because Cen does not teach or suggest compositions which contain no free added water, withdrawal of the rejections of claims 1, 2, 5, 7-9 and 11-40 in view of Cen is respectfully requested.

In view of the foregoing amendments and remarks, and the agreement reached during the personal interview, this case is believed to be in condition for immediate allowance. Such early and favorable action being earnestly solicited.

Respectfully submitted,



Peter DeLuca  
Reg. No. 32,978  
Attorney for Applicant(s)

*Carter, DeLuca, Farrell & Schmidt, LLP*  
445 Broad Hollow Road  
Suite 225  
Melville, New York 11747  
Tel.: (631) 501-5700  
Fax: (631) 501-3526  
PD/dag